

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 1210 OF 2015

S V M Engineers P. Ltd., ... Petitioners.

V/s.

State of Maharashtra & Others. ... Respondents.

Mr. P.D. Prasad Rao, Advocate for the Petitioners.

Mr. Ajay R. Patil, APP for the State.

Mr. Amarendra Mishra, Advocate for Respondent Nos. 2 to 5.

CORAM : M.L.TAHALIYANI,J.

DATE : 09th APRIL, 2015

P.C. :

1 Admit. By consent, heard finally at the admission stage.

2 Heard learned counsel Mr. Prasad Rao for the Petitioner, learned counsel Mr. Mishra for Respondent Nos. 2 to 5 and learned APP for the State.

3 There are four criminal complaint cases pending in the court of Metropolitan Magistrate Court, 72nd Court, Vikhroli, Mumbai filed by the petitioners (complainants). Respondent Nos. 2,3,4 and 5 are the accused in the said complaint cases. In all there were seven complaint cases out of which three have already been concluded and listed for

judgments. The petitioners pray that pending four cases which are identical in nature and between the same party, arising out of the same transactions, may be decided on the basis of the evidence already recorded in the earlier three complaints which are now adjourned for judgments. In my opinion, the prayer itself is misconceived. It is just not possible to decide the case on the basis of the evidence recorded in another case. No further elaboration is needed. I do not find any substance in the writ petition.

4 Writ petition stands dismissed and disposed of accordingly.

(JUDGE)

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